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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,311	06/06/2001	Bruce Barger	CM2373	7052

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THE PROCTER & GAMBLE COMPANY
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EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,311

Applicant(s)

BARGER ET AL.

Examiner

FRANKIE L. STINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed Oct. 10, 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 12-16, 22-24, 27-29, 31, 32 and 38-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43 and 44 is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-16, 22-24, 27-29, 31, 32 and 38-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-9, 12, 15, 22-24, 27-29, 31, 32 and 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yeiser (WIPO WO 98/01223) view of Smith et al. (U. S. Pat. No. 6,407,051), Toetschinger et al. (U. S. Pat. No. 6,158,673), Gordon et al. (WO 99/20724) or Cardola et al. (WO 99/60086).

Re claim 1, Yeiser is cited disclosing a method/process of cleaning the surface of an vehicle comprising contacting the surface with an aqueous cleaning composition having a pH (typically high pressure water and soap, see page 3, line 32 through page 4, line 6), and then rinsing the surface with purified rinse water using a hand-held dispenser (10) that is attached to a hose (page 4, lines 25-28) in communication with a source of tap water a water purifier (20) which comprises ion exchange resin (20, see abstract), that differs from the claims only in the recitation of the washing composition having a pH less than nine and a polymer to render the surface hydrophilic. The Smith, Toetschinger, Gordon and Cardola references are each cited disclosing an aqueous cleaning composition for cleaning surfaces like car/automobile exteriors (see Smith's abstract; Toetschinger, col. 3, lines 13-26; Gordon col. 22, lines 56-57 and Cardola col. 19, lines 31-32) which has a pH less than nine or neutral (see Smith, col. 8, lines 51-56; Gordon col. 7, lines 38-54 and examples "B" and "F" in col. 23 and Cardola, col. 3,

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lines 30-44) and a polymer (col. 4, line 64 in Smith; col. 12, line 1 in Toetschinger; col. 7, lines 31-37 as well as col. 7, line 66 in Gordon and col. 9, lines 52-67 through col. 10, lines 1-11 in Cardola). It therefore would have been obvious to one having ordinary skill in the art to substitute for the cleaning solution/composition in Yeiser, a cleaning solution/composition as taught by Smith, Toetschinger, Gordon or Cardola, since this is deemed to be the substitution of equivalents (see MPEP 2144.06 "SUBSTITUTING EQUIVALENTS KNOWN FOR THE SAME PURPOSE"). Re claim 4, Yeiser, Smith, Toetschinger, Gordon and Cardola disclose the surfaces as claimed. Re claims 5-8, in regard to the contact angles, please note that since Gordon and Cardola both employ the same polymers, the contact angles as claimed are therefore deemed to be inherent. Re claim 9, Smith, Toetschinger, Gordon and Cardola each disclose the additional components (see Gordon, col. 7, line 61 through col. 8, lines 1-5 and in Cardola, col. 10 line 62 through col. 11, lines 1-4). Re claim 12, Yeiser discloses the ion exchange resin. Re claim 15, Yeiser discloses the spraying of the cleaning composition and rinse water. Re claims 22-23, both Gordon and Cardola disclose the surfactants. Re claim 27-29, to have the surface remaining hydrophilic after the addition rinses is deemed to be inherent in that the characteristics of the instant compositions as claimed is the same as that taught by the prior art. Re claim 38-42, Yeiser discloses the material and dimensions.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 1 above, and further in view of either Johnston et al. (U. S. Pat. No. 4,764,047) or Evans (U. S. Pat. No. 3,459,334).

Claim 2 defines over the applied prior only in the recitation of the step of pre-wetting the

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surface before the application of the cleaning composition. Johnston (see col. 5, lines 55-65) and Evans (see col. 4, lines 6-13) each disclose the step of washing a surface (of a vehicle) where the surface is pre-wetted before the application of the cleaning composition. It therefore would have been obvious to one having ordinary skill in the art to modify the washing process of Yeiser, to pre-wet the surface/vehicle prior to contacting the same with cleaning composition, for the purpose of softening the soils/debris for easier removal.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 1 above, and further in view of either Johnson (U. S. Pat. No. 2,801,941) or Huebner et al. (U. S. Pat. No. 3,658,590)

Claim 3 defines over the applied prior art only in the recitation of rinsing the surface with tap water between the step of contacting the surface with cleaning composition and the step of rinsing the surface with purified rinse water. Johnson'941 and Huebner are each cited disclosing a process for washing a surface where there is provided a step of providing a tap water rinse between the step of contacting the surface with cleaning composition and the step of rinsing the surface with purified rinse water (see col. 2, lines 24-37 in Johnson'941 and col. 8, lines 29-50). It therefore would have been obvious to one having ordinary skill in the art to modify the washing process of the applied prior art, to include the tap water rinse step as taught by either Johnson'941 and Huebner, for the purpose of conserving the purified/deionized rinse water.

5. Claims 13, 14 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 1 above, and further in view

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of either Hawes (W0 79/48927), Smith. (U. S. Pat. No. 3,355,018) or Arnaud (U. S. Pat. No. 5,647,977).

Claim 13 defines over the applied prior art only in the recitation of the purifier comprising at least three layers of ion exchange resin. Hawes (see figs 7a-8), Smith'018 and Arnaud (see fig. 5) each disclose an ion exchanger having at least 3 layers. It therefore would have been obvious to one having ordinary skill in the art to modify the purifier of the applied art to employ at least three layers of ion exchange resin since this is considered to be an obvious extension of the teachings of Yeiser. Re claim 14, Smith'018 discloses the visual indication of depleted ion exchange resin (see col. 4, line 1-11). Re claim 31, Arnaud discloses the cation and anion ion exchange (see col. 6, lines 32-65).

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claims 1, 33 and 34 above, and further in view of either Hawes or Shaw (U. S. Pat. No. 4,135,646).

Claim 16 defines over the applied prior art only in the recitation of the and containers for the cleaning composition and rinse water, and the same being sprayed from the same spraying device. Hawes and Shaw discloses that it is old and well known in the art to provide a spraying device with plural storage containers for spraying plural fluid from the said plural sources. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Yeiser, to include an arrangement of spraying both the cleaning composition and rinse water from the same spraying device as taught by either Hawes or Shaw, for the purpose of conveniently allowing the user to

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switch between the plural sources. It old and well know to first wash the vehicle with a washing liquid and subsequently rinse the same with a rinsing spray and generally one would wash with a bucket of soapy water and then rinse with a hose. Re claim 17, Yeiser discloses the passing of the water through a hose to the purifier and the subsequent spraying by the spraying device.

7. Claim 43 and 44 stand allowed.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746